

REMARKS/ARGUMENTS

Claims 1-9, 12-26, 28-40 and 42-45 are pending in the present application. The Examiner has rejected claims 1-9, 12-26, 28-40, and 42-45. Applicant has canceled claims 16, 17, 32, 33, and 45. Applicant has amended claims 1, 23, 36, and 42. Applicant respectfully requests reconsideration of pending claims 1-9, 12-15, 18-26, 28-31, 34-40 and 42-44.

The Examiner has rejected claim 45 under 35 U.S.C § 112, first paragraph as failing to comply with the written description requirement. Applicant has canceled claim 45. Thus, Applicant submits the Examiner's rejection of claim 45 has been obviated.

The Examiner has rejected claims 23-25, 30, 31, 33 and 35 under 35 U.S.C. § 102(e) as allegedly being anticipated by Srinivasan, et al. (U.S. Patent No. 6,304,549). Applicant respectfully disagrees. Applicant submits the Examiner merely alleges "Claim 23-25, 30, 31, 33, and 35 are rejected under 35 U.S.C. 102(e) as being anticipated by Srinivasan et al. (US 6,304,549)" without providing any further information whatsoever. Thus, Applicant submits the Examiner has failed to provide any evidence that "each and every element as set forth in the claim is found, either expressly or inherently described" in the cited reference, as required by MPEP § 2131. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Thus, Applicant submits the Examiner has failed to make a *prima facie* showing of anticipation with respect to such claims.

Moreover, regarding claims 23-25, 30, 31, and 35, Applicant notes Applicant has amended claim 23, from which claims 24, 25, 30, 31, and 35 directly or indirectly depend. Applicant notes support for the amendment may be found in the specification, for example, on page 7, line 15, through page 8, line 9, and that no new matter has been added. Applicant submits the amended subject matter merely represents a cosmetic change vis-à-vis subject matter heretofore present in at least one of the canceled claims. Thus, Applicant submits claim 23 is in condition for allowance. Consequently, Applicant further submits dependent claims 24, 25, 30, 31, and 35 are also in condition for allowance.

Regarding claim 33, Applicant has canceled claim 33. Thus, Applicant submits the Examiner's rejection of claim 33 has been obviated.

The Examiner has rejected claims 1-9, 12-15, 17-26, 28-31 and 33-40 as allegedly being unpatentable over Srinivasan et al. (U.S. Patent No. 6,304,549) in view of Cedrone et al. (U.S. Patent No. 6,538,987). Applicant respectfully disagrees.

Regarding claims 1-9, 12-15, and 18-22, Applicant notes Applicant has amended claim 1, from which claim 2-9, 12-15, and 18-22 directly or indirectly depend. Applicant notes support for the amendment may be found in the specification, for example, on page 7, line 15, through page 8, line 9, and that no new matter has been added. Applicant submits the amended subject matter merely represents a cosmetic change vis-à-vis subject matter heretofore present in at least one of the canceled claims. Thus, Applicant submits claim 1 is in condition for allowance. Consequently, Applicant further submits dependent claims 2-9, 12-15, and 18-22 are also in condition for allowance.

Regarding claim 17, Applicant has canceled claim 17. Thus, Applicant submits the Examiner's rejection of claim 17 has been obviated.

Regarding claim 23-26, 28-31, 34, and 35, Applicant notes Applicant has amended claim 23, from which claims 24-26, 28-31, 34, and 35 directly or indirectly depend. Applicant notes support for the amendment may be found in the specification, for example, on page 7, line 15, through page 8, line 9, and that no new matter has been added. Applicant submits the amended subject matter merely represents a cosmetic change vis-à-vis subject matter heretofore present in at least one of the canceled claims. Thus, Applicant submits claim 23 is in condition for allowance. Consequently, Applicant further submits dependent claims 24-26, 28-31, 34, and 35 are also in condition for allowance.

Regarding claim 33, Applicant has canceled claim 33. Thus, Applicant submits the Examiner's rejection of claim 33 has been obviated.

Regarding claims 36-40, Applicant notes Applicant has amended claim 36, from which claims 37-40 directly or indirectly depend. Applicant notes support for the amendment may be found in the specification, for example, on page 7, line 15, through page 8, line 9, and that no new matter has been added. Thus, Applicant submits claim 36 is in condition for allowance. Consequently, Applicant further submits dependent claims 37-40 are also in condition for allowance.

The Examiner has rejected claims 16 and 32 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Srinivasan, et al. (U.S. Patent No. 6,304,549) in view of Cedrone, et al. (U.S. Patent

No. 6,538,987) as applied to claims 1 and 23 respectively above, and further in view of So (U.S. Patent No. 6,735,176). Applicant respectfully disagrees.

Regarding claims 16 and 32, Applicant has canceled claims 16 and 32. Thus, Applicant submits the Examiner's rejection of claims 16 and 32 has been obviated.

The Examiner has rejected claims 42-45 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Srinivasan, et al. (U.S. Patent No. 6,304,549) in view of So (U.S. Patent No. 6,735,176). Applicant respectfully disagrees.

Regarding claims 42-44, Applicant notes Applicant has amended claim 42, from which claims 43 and 44 directly or indirectly depend. Applicant notes support for the amendment may be found in the specification, for example, on page 7, line 15, through page 8, line 9, and that no new matter has been added. Applicant submits the amended subject matter merely represents a cosmetic change vis-à-vis subject matter heretofore present in at least one of the canceled claims. Thus, Applicant submits claim 42 is in condition for allowance. Consequently, Applicant further submits dependent claims 43 and 44 are also in condition for allowance.

In conclusion, Applicant has overcome all of the Office's rejections, and early notice of allowance to this effect is earnestly solicited. If, for any reason, the Office is unable to allow the Application on the next Office Action, and believes a telephone interview would be helpful, the Examiner is respectfully requested to contact the undersigned attorney.

Respectfully submitted,

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Date



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